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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,429	12/15/2003	Vyacheslav Barsuk	END920030054US1	3436
40581	7590	05/08/2006	EXAMINER	
CRAWFORD MAUNU PLLC 1270 NORTHLAND DRIVE, SUITE 390 ST. PAUL, MN 55120			BROWN, MICHAEL J	
			ART UNIT	PAPER NUMBER
			2116	
DATE MAILED: 05/08/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/736,429

Applicant(s)

BARSUK, VYACHESLAV

Examiner

Michael J. Brown

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/2/04, 12/15/03</u> | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 12/15/2003 and 8/2/2004 were filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Guarraci et al.(US PGPub 2004/0267918).

As to claim 1, Guarraci discloses a method for performing a remote power reset(see paragraph 0035, lines 2-5) at a remote server(conventional computer 520, see Fig. 5) through a network connection(local area connection(LAN) 551, see Fig. 5), comprising pinning a power reset procedure to memory(system memory 522, see Fig. 5) at the remote server, and continuously running the

power reset procedure to listen for a call to initiate the power reset in response thereto.

As to claim 2, Guarraci discloses the method wherein the listening for a call further comprises listening for a Request TCP/IP packet to initiate the power reset(see wide area network 552, Fig. 5).

As to claim 3, Guarraci discloses the method wherein the listening for a call further comprises listening for a call via a network connection(see local area network 551, Fig. 5).

As to claim 4, Guarraci discloses the method wherein the listening for a call further comprises listening for a call via a network connection(see local area network 551, Fig. 5).

As to claim 5, Guarraci discloses the method wherein the listening for a call further comprises listening to a predetermined TCP/IP port for a Request TCP/IP packet specifying the power reset procedure(see wide area network 552, Fig. 5).

As to claim 6, Guarraci discloses the method further comprising receiving at a the predetermined TCP/IP port the Request TCP/IP packet and initiating the power reset procedure pinned in the memory of the remote server in response to receipt of the Request TCP/IP packet(see wide area network 552, Fig. 5).

As to claim 7, Guarraci discloses the method wherein the initiating the power reset further comprises performing a system call to reboot or power off the remote server(see paragraph 0033, lines 12-14).

As to claim 8, Guarraci discloses the method wherein the remote server hangs as result of running out of virtual memory, and wherein the initiating the power reset further comprises unhanging the remote server using the power reset procedure(see paragraph 0030, lines 1-11).

As to claim 9, Guarraci discloses a method for initiating a remote power reset(see paragraph 0035, lines 2-5) at a remote server(conventional computer 520, see Fig. 5) through a network connection(local area connection(LAN) 551, see Fig. 5), comprising determining whether the remote server should perform a power reset procedure that is pinned to memory(system memory 522, see Fig. 5) and running at the remote server, and sending a call to the remote server to initiate the power reset procedure pinned to memory of the remote server.

As to claim 10, Guarraci discloses a remote server(conventional computer 520, see Fig. 5), comprising a memory(system memory 522, see Fig. 5) for storing program instructions(computer executable instructions, see paragraph 0046, line 3), a power reset procedure(see paragraph 0035, lines 2-5) being pinned to the memory, and a processor(processing unit 521, see Fig. 5) configured according to the program instructions for running the power reset procedure to listen for a call to initiate a power reset in response thereto.

As to claim 11, Guarraci discloses the remote server wherein the call comprises a Request TCP/IP packet for initiating the power reset(see wide area network 552, Fig. 5).

As to claim 12, Guarraci discloses the remote server wherein processor

listens for the call via a network connection(see local area network 551, Fig. 5).

As to claim 13, Guarraci discloses the remote server wherein the processor listens for a call by listening to a predetermined TCP/IP port for a Request TCP/IP packet specifying the power reset procedure(see wide area network 552, Fig. 5).

As to claim 14, Guarraci discloses the remote server wherein the processor receives the Request TCP/IP packet from predetermined TCP/IP port and initiates the power reset procedure pinned in the memory in response to the Request TCP/IP packet(see wide area network 552, Fig. 5).

As to claim 15, Guarraci discloses the remote server wherein the processor initiates the power reset by performing a system call to reboot or power off the remote server(see paragraph 0033, lines 12-14).

As to claim 16, Guarraci discloses a system for performing a remote power reset(see paragraph 0035, lines 2-5) at a remote server(conventional computer 520, see Fig. 5) through a network connection(local area connection(LAN) 551, see Fig. 5), comprising a host(remote computer 549b, see Fig. 5), the network connection, and the remote server, coupled to the host through the network connection, wherein the host determines whether the remote server should perform a power reset procedure that is pinned to memory(system memory 522, see Fig. 5) and running at the remote server and sends a call(computer executable instructions, see paragraph 0046, line 3) to the remote server to initiate the power reset procedure pinned to memory of the remote

server, and wherein the remote server listens for the call, receives the call and initiates the power reset procedure pinned in the memory of the remote server in response to the call.

As to claim 17, Guarraci discloses a host computer(conventional computer 520, see Fig. 5) system, comprising a memory for storing program instructions(computer executable instructions, see paragraph 0046, line 3), and a processor(processing unit 521, see Fig. 5), configured according to the program instructions for determining whether a remote server should perform a power reset procedure(see paragraph 0035, lines 2-5) that is pinned to memory(system memory 522, see Fig. 5) and running at the remote server and sending a call to the remote server to initiate the power reset procedure at the remote server.

As to claim 18, Guarraci discloses a remote server(conventional computer 520, see Fig. 5), comprising means(system memory 522, see Fig. 5) for storing program instructions(computer executable instructions, see paragraph 0046, line 3), a power reset procedure(see paragraph 0035, lines 2-5) being pinned to the memory, and means(processing unit 521, see Fig. 5) configured according to the program instructions for running the power reset procedure to listen for a call to initiate a power reset in response thereto.

As to claim 19, Guarraci discloses a system for performing a remote requested action, comprising host means(conventional computer 520, see Fig. 5) for running applications, network means(local area connection(LAN) 551, see Fig. 5) for providing network connections, and remote means(remote computer

549b, see Fig. 5), coupled to the host means via the network means, wherein the host means determines whether a remote means should perform a power reset(see paragraph 0035, lines 2-5) means that is pinned to means(system memory 522 and processing unit 521, see Fig. 5) for storing and running at the remote means, the host means sending a call(computer executable instructions, see paragraph 0046, line 3) to the remote means to initiate the power reset means at the remote means, and wherein the remote means listens for the call, receives the call and initiates the power reset means at the remote means in response to the call.

As to claim 20, Guarraci discloses a host computer system(conventional computer 520, see Fig. 5), comprising means(system memory 522, see Fig. 5) for storing program instructions(computer executable instructions, see paragraph 0046, line 3), and means configured according to the program instructions provided by the means for storing for determining whether a remote means(remote computer 549b, see Fig. 5) needs to perform a remote power reset(see paragraph 0035, lines 2-5) means that is pinned to means(system memory 522 and processing unit 521, see Fig. 5) for storing at the remote means and running on the remote means and sending a call to the remote means to initiate the power reset means at the remote means.

As to claim 21, Guarraci discloses a program storage device readable by a computer(conventional computer 520, see Fig. 5), the program storage device tangibly embodying one or more programs of instructions(computer executable



instructions, see paragraph 0046, line 3) executable by the computer to perform a method for performing a remote power reset(see paragraph 0035, lines 2-5) at a remote server(remote computer 549b, see Fig. 5) through a network connection(local area connection(LAN) 551, see Fig. 5), the method comprising pinning a power reset procedure to memory(system memory 522, see Fig. 5) at a remote server, and continuously running(system memory 522 and processing unit 521, see Fig. 5) the power reset procedure to listen for a call to initiate a power reset in response thereto.


As to claim 22, Guarraci discloses a program storage device readable by a computer(conventional computer 520, see Fig. 5), the program storage device tangibly embodying one or more programs of instructions(computer executable instructions, see paragraph 0046, line 3) executable by the computer to perform a method for performing a remote power reset(see paragraph 0035, lines 2-5) at a remote server(remote computer 549b, see Fig. 5) through a network connection, the method comprising determining whether a remote server should perform a power reset procedure that is pinned to memory(system memory 522, see Fig. 5) and running(system memory 522 and processing unit 521, see Fig. 5) at the remote server, and sending a call to the remote server to initiate the power reset procedure pinned to memory of the remote server.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Brown whose telephone number is (571)272-5932. The examiner can normally be reached on Monday-Friday from 7:00am to 3:30pm(EST).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIRS) system. Status information for the published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications are available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

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